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GENERAL ASSEMBLY
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Agenda item 31
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE
INITIATIVES

SECURITY COUNCIL
Forty-sixth year

Letter dated 26 September 1991 from the Permanent Representative of El Salvador to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the "New York Agreement" signed at United Nations Headquarters on 25 September 1991, containing the results of the negotiations held from 16 to 25 September between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional.

I should be very grateful if you could have this note and its annex circulated as an official document of the General Assembly, under item 31, and of the Security Council.

(Signed) Ricardo G. CASTANEDA
Ambassador
Permanent Representative

ANNEX

NEW YORK AGREEMENT

The Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (hereinafter called "the Parties"),

Convinced of the need to give a final impetus to the process of negotiations currently taking place with the active participation of the Secretary-General of the United Nations, so that the set of political agreements required to bring a definitive end to the armed conflict in our country can be reached as speedily as possible,

Conscious of the fact that, in order to achieve the aforementioned objective, it is essential to establish a set of conditions and guarantees which will ensure the full implementation of those political agreements by both Parties,

Have reached the following political agreement:

I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

1. The Comisión Nacional para la Consolidación de la Paz (National Commission for the Consolidation of Peace) (COPAZ) shall be responsible for overseeing the implementation of all the political agreements reached by the Parties. COPAZ is a mechanism for the monitoring of and the participation of civilian society in the process of the changes resulting from the negotiations, in relation both to the armed forces, in particular, and to the other items on the agenda.

2. Composition

   a. COPAZ shall be composed of two representatives of the Government, including a member of the armed forces, two representatives of FMLN and one representative of each of the parties or coalitions represented in the Legislative Assembly.

   b. The Archbishop of San Salvador and a delegate of ONUSAL shall have access to the work and deliberations of COPAZ, as observers.

3. Decisions

   COPAZ shall adopt its decisions by majority vote.

4. Powers

   a. COPAZ shall not have executive powers since it is for the Parties, through their internal machinery, to carry out the peace agreements.

b. The Parties shall be obliged to consult COPAZ before adopting decisions or measures relating to relevant aspects of the peace agreements. Similarly, COPAZ may consult the Parties, at the highest level, whenever it deems it appropriate to do so. In the event of a difference of opinion as to whether a matter should be submitted to COPAZ, the question shall be decided by COPAZ.

c. At the request of three or more of its members, COPAZ shall be convened immediately and its opinion heard.

d. COPAZ shall have direct access to the President of the Republic and shall meet with him whenever COPAZ itself or the President deems it appropriate.

e. COPAZ shall have access to and may inspect any activity or site connected with the implementation of the peace agreements.

f. COPAZ shall have the power to issue conclusions and recommendations of any kind relating to the implementation of the peace agreements and to make them public. The Parties undertake to comply with those conclusions and recommendations.

g. COPAZ shall have the power to prepare the preliminary legislative drafts necessary for the development of the agreements which have been reached, both on the subject of the armed forces and on the other items on the agenda.

h. COPAZ shall have the power to oversee the implementation of the agreements reached by the Parties, both on the subject of the armed forces and on the other items on the agenda.

i. COPAZ shall be responsible for the preparation of the preliminary legislative drafts necessary to ensure that all those wounded in the war and, where appropriate, the families of combatants who have died, on both sides, are incorporated into the social security system of the State or receive adequate economic compensation, as provided for by law.

j. In the performance of its functions, COPAZ shall be authorized to address the relevant organs of the United Nations, through the Secretary-General.

k. COPAZ shall have full powers to organize its work in the manner which it deems most appropriate and to appoint any groups or subcommissions which it may deem useful in the discharge of its mission. For that purpose, it shall have its own budget.

5. Form

In addition to being the product of this political agreement, COPAZ shall be confirmed by law.

6. Duration

a. Between the date of this agreement and the cessation of the armed conflict, two representatives of the Government, including one member of the armed forces, two representatives of FMLN and one representative of each of the parties or coalitions represented in the Legislative Assembly shall work under a special operational régime of a transitional nature which they themselves shall define. This work shall include the preparation of the preliminary draft legislation to formalize the establishment of COPAZ.

b. The preliminary draft legislation to formalize the establishment of COPAZ shall be submitted to the Legislative Assembly within eight (8) days following the signing of the cessation of armed conflict. The formal establishment of COPAZ shall take place within eight (8) days following the promulgation of the said law.

c. COPAZ shall be dissolved once the implementation of the peace agreements has been completed. Its dissolution shall be decided upon by COPAZ itself, by means of an agreement receiving a favourable vote from at least two thirds of its members.

7. International guarantees

a. The establishment of COPAZ shall be explicitly endorsed by a resolution to be adopted by the Security Council concerning the peace agreements.

b. The Secretary-General shall keep the Security Council informed regarding the activities and effectiveness of COPAZ.

c. COPAZ shall be endorsed by Governments which are in a position to support effectively the guarantee required under the agreements as well as the work of COPAZ. In particular, the cooperation of those Governments shall be expressed and given in such a way as to promote the proposals set forth in the peace agreements as well as their full implementation.

II. PURIFICATION 1/

1. A process of purification of the armed forces is agreed upon, on the basis of a vetting of all personnel serving in them by an ad hoc Commission.

2. Participation by the armed forces will comprise two of their personnel, who shall have access only to the deliberations of the Commission.

1/ The mechanisms for selecting all participants in the ad hoc Commission, as well as the voting criteria and other measures relating to the purification, will be dealt with in the compressed negotiations.

III. REDUCTION OF THE ARMED FORCES

1. The criteria for reduction of the armed forces shall be agreed upon between the Parties.

2. The criteria shall determine inter alia the guidelines on the basis of which:

   a. The size to which the armed forces shall be reduced in peacetime shall be determined;

   b. The plan for the reduction (manner, timetable, budget, etc.) shall be drawn up.

IV. DOCTRINE OF THE ARMED FORCES

Agreement shall be reached on the redefinition of the doctrine of the armed forces based on the ideas that emerge from the agreements on this subject and from the constitutional reform. It is understood that the function of the armed forces is to defend the sovereignty of the State and the integrity of its territory, and that this doctrine should be based on the principle that the activities and regime of the armed forces shall be consistent with the principles deriving from the concept of the legally-constituted State governed by the rule of law, the primacy of the dignity of the human person and respect for human rights; defence of and respect for the sovereignty of the Salvadorian people; the concept of the armed forces as an institution in the service of the nation, free from all considerations of politics, ideology or social standing, and from all other forms of discrimination; and the subordination of the armed services to the constitutional authorities.

V. TRAINING SYSTEM FOR THE ARMED FORCES

Full effect will be given in its entirety to the agreement reached in Mexico on 27 April 1991 whereby the professional training of personnel serving in the armed forces shall place emphasis on the pre-eminence of human dignity and democratic values, respect for human rights and the subordination of such forces to the constitutional authorities. The agreements reached in this respect shall comprise regulatory provisions guaranteeing the foregoing points as well as the admission and instruction systems.

VI. NATIONAL CIVIL POLICE

The agenda for the negotiations on the National Civil Police provided for in the constitutional reform approved in the Mexico agreements shall include the following items: 2/

2/ The negotiations on the National Civil Police and on the Public Security Forces are at an advanced stage. The Parties have in their possession a working paper which reflects the progress made.

a) Establishment of the NCP. 3/ Doctrine. Juridical regime;

b) Disbandment of the National Guard and the Treasury Police, as Public Security Forces;

c) Personnel of the NCP:

1/) Vetting of National Police personnel.

2/) Enlistment of new personnel. Pluralistic and non-discriminatory selection and training system.

3/) Profiles and training.

4/) International advisory services and support coordinated by the United Nations. The organization of the NCP and of the National Public Security Academy and the selection of their personnel will be the subject of close international cooperation and supervision.

5/) Transitional regime.

VII. ECONOMIC AND SOCIAL QUESTIONS

1. Lands in excess of the constitutional limit of 245 hectares, as well as lands owned by the State which are not currently legally designated forest reserves, shall be used to meet the needs of peasants and small farmers who are without land. To this end, the Government shall also make arrangements to purchase lands offered for sale to the State.

2. The current land-holding situation in the conflict zones shall be respected until a satisfactory legal solution for the definitive land-holding regime is arrived at. The procedures and deadlines for the implementation of this agreement shall be agreed upon in the compressed negotiations.

3. The policies for granting loans to the agriculture and livestock sector shall be revised.

4. The Parties refer to the compressed negotiations, as part of the economic and social subject area, consideration of the following topics:

3/ Given the complexity of the task and the time required to carry it out, the process of organizing the new National Civil Police needs to begin immediately, i.e. without awaiting other political agreements or the cessation of the armed confrontation. To this end, provision of the international advisory services required has already begun.

a. Measures required to alleviate the social cost of structural adjustment programmes;

b. Appropriate procedures for direct external cooperation designed to encourage community assistance and development projects;

c. Establishment of a Forum for economic and social accommodation, with participation by the governmental, labour and business sectors, for the purpose of continuing to resolve economic and social problems. The Forum may be open to participation by other social and political sectors as observers, under terms to be determined by it.

VIII. REMAINDER OF THE AGENDA

1. Other aspects still pending under the "Armed Forces" item relate to the guarantees of compliance with the agreements. No direct mention is made of these, because they are subject to agreement in the compressed negotiations. In any event, their fulfilment and implementation will be the responsibility of COPAZ.

2. On the same date, the Parties have agreed on an agenda for the compressed negotiations on the pending items, which shall be deemed to form part of the present agreement. Those items on this agenda which have been the subject of agreements in principle in the present agreement shall be subject to consideration and negotiation in conformity with the criteria and principles defined herein.

New York, 25 September 1991

Representing the Government of El Salvador:	Representing the Frente Farabundo Martí para la Liberación Nacional:
Dr. Oscar Santamaría	Cmdr. Schafik Handal
Col. Mauricio Ernesto Vargas	Cmdr. Francisco Jovel
Dr. David Escobar Galindo	Cmdr. Salvador Sánchez Cerén
	Cmdr. Eduardo Sancho
	Cmdr. Joaquín Villalobos

Alvaro de Soto
Representative of the Secretary-General
of the United Nations

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Agenda item 31
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE
INITIATIVES

Security Council
Forty-sixth year

Letter dated 4 October 1991 from the Permanent Representative of El Salvador to the United Nations addressed to the Secretary-General

I have the honour to transmit the document entitled "The Compressed Negotiations" signed at United Nations Headquarters on 25 September 1991 by representatives of the Government of El Salvador and of Frente Farabundo Martí para la Liberación Nacional (FMLN).

I should be very grateful if you would have this note and its annex circulated as an official document of the General Assembly, under item 31, and of the Security Council, as an addendum to document A/46/502-S/23082 of 26 September 1991.

(Signed) Ricardo G. CASTANEDA
Ambassador
Permanent Representative

ANNEX

THE COMPRESSED NEGOTIATIONS

Article 1. AIMS AND PRINCIPLES

Compression of the negotiations aims to secure, at one go, political agreements to:

(a) Coordinate an end to the armed conflict and to every act that violates the rights of the civilian population, under United Nations verification, subject to the approval of the Security Council; and

(b) Establish the guarantees and conditions needed to reintegrate members of FMLN into the civilian, institutional and political life of the country in absolute legality.

Accordingly, all the substantive items on the Agenda would be negotiated and settled prior to the end of the armed conflict. This will mean a cease-fire of predetermined length, short and dynamic, during which there would not be any substantive negotiations but only the measures necessary to put the agreements reached into practice.

This implies that the Agenda approved at Caracas should be reshaped to take account of the above aims and of the outcome of the negotiations conducted since then.

Article 2. SUBJECTS FOR NEGOTIATION

The matters to be negotiated are as follows:

I. ARMED FORCES 1/

This item includes:

1. Doctrine.

2. Training system.

3. Purification.

1/ Most of the sub-items under this point are fairly advanced on the basis of the working document prepared by the intermediary.

4. Reduction. 2/

5. Waiver of impunity. 3/

6. Public Security Forces: 4/

- Establishment of the NCP. 5/ Doctrine. Juridical regime.

- Disbandment of the National Guard and the Treasury Police, as Public Security Forces.

- Personnel of the NCP. Vetting of National Police personnel. Enlistment of new personnel. Pluralistic and non-discriminatory selection and training system.

- Profiles and training.

- International advisory services and support.

- Transitional regime.

6. [sic] Intelligence services: 6/

- Disbandment of the DNI.

- Establishment of the OIE. Doctrine. Juridical regime.

- Personnel of the OIE.

- Monitoring.

2/ The question will be considered within the scope defined by the New York Agreement.

3/ See "Comisión de la Verdad" (Truth Commission) in the Mexico agreements of 27 April 1991. The working paper on the Armed Forces sets forth the connection between the subject and that Commission.

4/ This question has also reached an advanced stage, on the basis of an additional document prepared by the intermediary.

5/ In view of the complexity of the task and the time required to carry it out, the process of organizing the new National Civil Police needs to begin immediately, i.e. without awaiting other political agreements or the cessation of the armed confrontation.

6/ This question has also reached an advanced stage, on the basis of an additional document prepared by the intermediary.

7. Rapid deployment infantry battalions.

8. Subordination to the civil power.

9. Paramilitary entities:

- Civil defence.

- Regime of the Salvadorian Armed Forces reserves.

- Eradication of illegal groups.

- Regulation of private security.

- Monitoring.

10. Suspension of conscription.

11. Preventive and promotional methods.

12. Relocation and reduction.

13. International verification.

II. JUDICIAL SYSTEM

Implementation of the political agreements for the development of the constitutional reform adopted in the Mexico agreements of 27 April 1991.

III. ELECTORAL SYSTEM

Implementation of the political agreements for the development of the constitutional reform adopted in the Mexico agreements of 27 April 1991.

IV. RATIFICATION OF THE CONSTITUTIONAL REFORM

This item is inferred from the Mexico agreements of 27 April 1991. It is an indispensable prerequisite for the concretization of other political agreements, such as many of those referring to the electoral and judicial systems, as well as the agreement relating to the National Civil Police, for example. Consequently, progress should be made in that direction without further delay.

V. ECONOMIC AND SOCIAL QUESTIONS

VI. CONDITIONS FOR THE CESSATION OF THE ARMED CONFRONTATION

The work that has been done with regard to this question will have to be adapted to the arrangements for the cease-fire described above, and particularly to its dynamic character, the consequence of the compression of the negotiations.

VII. POLITICAL PARTICIPATION BY FMLN

VIII. VERIFICATION BY THE UNITED NATIONS

IX. TIMETABLE FOR IMPLEMENTATION

New York, 25 September 1991

Representing the Government of El Salvador:

Dr. Oscar Santamaría

Col. Mauricio Ernesto Vargas

Dr. David Escobar Galindo

Representing Frente Farabundo Martí para la Liberación Nacional:

Cmdr. Schafik Handal

Cmdr. Francisco Jovel

Cmdr. Salvador Sánchez Cerén

Cmdr. Eduardo Sancho

Cmdr. Joaquín Villalobos

Alvaro de Soto
Representative of the Secretary-General
of the United Nations

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S/23083
26 September 1991

ORIGINAL: ENGLISH

LETTER DATED 26 SEPTEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF BULGARIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you herewith (annex), the text of the statement by His Excellency Mr. Victor Valkov, Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Bulgaria, on the situation in Yugoslavia currently on the agenda of the Security Council.

I would very much appreciate it if you would have this text circulated as a document of the Security Council.

(Signed) Svetlomir BAEV
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative
of the Republic of Bulgaria
to the United Nations

Annex

Statement by the Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Bulgaria on the situation in Yugoslavia

Bulgaria is most seriously concerned about the increasingly worsening situation in Yugoslavia. The dramatic events in that country, which have been taking a heavy toll in human life, give rise to this well-grounded concern on the part of my Government and the entire Bulgarian people. Our attitude towards the developments in Yugoslavia from their very beginning has been expressed more than once in statements by the President of the Republic, Dr. Zhelyu Zhelev, in the Bulgarian Parliament, as well as in official declarations of the Government and the Ministry of Foreign Affairs.

The events in Yugoslavia, which are getting out of control, paralleled by the disintegration of the federal structures of power, escalation of the armed clashes, the formation of armed units on a religious, ethnic, political or inter-ethnic basis, highlight the increasingly real danger of an all-out civil war. All this has exceptionally grave consequences. We have no doubt as to the connection which exists between the deepening of the crisis on the one hand, and the attempts aimed at a forcible redrawing of borders between republics and redistribution of territories on the other. Our concern is further aggravated in the face of the danger that the existing inter-ethnic armed conflicts may spread in borderline areas, or even spill over into the territories of neighbouring countries. There is also the possibility of massive emigration that could be triggered off in the process. These factors have a destabilizing effect on international peace and security, both on a regional and a far broader plane. We are justifiably alarmed about possible negative consequences for the democratic process and the deep-going reforms under way in Bulgaria. It is for those reasons that we support Security Council resolution 713 (1991) of 25 September 1991 as timely and appropriate. We expect the United Nations to take prompt and effective action concomitant with the revived international confidence in its peacemaking mandate. The crisis in Yugoslavia should be solved in a way that would provide for the peaceful future of all peoples of Yugoslavia, its neighbours and the entire Balkan Peninsula.

Regrettably, the hopes that Yugoslavia alone might find a solution to the existing disputes by its own internal means, have been in vain. It appears almost impossible now to find a universally acceptable formula to preserve Yugoslavia as a State in its present form. Armed clashes in Slovenia, and now the fighting in Croatia, have seriously questioned the impartiality and truly national status of the Yugoslav People's Army. Such are the bitter facts. In a nutshell, the question is whether the ongoing processes in Yugoslavia, related to the free exercise of the sovereign right of peoples to self-determination, including their right to secede into independent states, will develop democratically, through equal dialogue between the republics, or

whether it will involve violence and military pressure as is the case at present.

In this alarming situation, Bulgaria took an active part in supporting the setting into motion of the mechanisms of the Conference on Security and Cooperation in Europe. My country unreservedly backed the efforts of the European Community in seeking a peaceful solution to the crisis. The Bulgarian Government imposed an embargo on the export, re-export and transit to Yugoslavia of military hardware, armaments, ammunitions, equipment and material for military and special use from and via Bulgarian territory. We welcomed with hope and appreciation the cease-fire agreement and we believe that only its strict observance and the denunciation of the policy of faits accomplis may avert the further escalation of the fighting and the involvement of other republics in the conflict. We hope that full compliance with Security Council resolution 713 (1991) by all the parties in Yugoslavia will stimulate the creation and strengthening of the political will to seek a peaceful settlement of the crisis. Without such explicit political will by all the parties involved, any efforts on the part of the international community would come to little or no fruition.

The underlying principles of Bulgaria's foreign policy regarding the crisis in Yugoslavia, as set out by President Zhelev on 14 September of this year, are fully in line with the provisions of the Charter of the United Nations.

We deem it extremely important to recognize the right of each and every people inhabiting the territory of Yugoslavia, without exception, to self-determination, including the right to sovereign and independent statehood. The implementation of this principle, in our view, should be done by peaceful means, by political compromise, and without revising by force the existing borders. The latter is absolutely inadmissable.

Bulgaria has never tried, nor will it ever try to take advantage in any way whatsoever of the present difficulties in Yugoslavia, and we will strictly keep this obligation of ours. Fully aware of the need to preserve the climate of confidence and good-neighbourly relations in the Balkans, we strictly abide by the principle of non-interference in the internal affairs of Yugoslavia. Such a standard of good-neighbourly behaviour should, of course, be binding for all. We also try to show maximum restraint at this moment of tension and unpredictability. Moreover, regardless of the high level of tension in our neighbour, Bulgaria has so far refrained from increasing its military forces along the common frontier. We reject most categorically the allegations on the part of certain quarters in Belgrade about some Bulgarian complicity with events in that country. Such allegations are totally groundless. They are completely at variance with the real facts and the principled position of Bulgaria adopted from the very outset of the crisis in Yugoslavia.

In conformity with these basic principles, Bulgaria stands ready to offer its active support for any initiative, whether launched by the world

Organization or on a regional basis, for seeking a peaceful, political solution to the crisis in Yugoslavia in compliance with the United Nations Charter, the Helsinki Final Act and the Charter of Paris for a New Europe. It is our sincere desire to develop relations of friendship, good-neighbourliness and intensive cooperation with all peoples inhabiting the territory of Yugoslavia, regardless of how exactly they will choose to govern their own destinies.

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26 September 1991
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LETTER DATED 26 SEPTEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that United States aircraft continue to violate Iraqi airspace, as follows:

1. On 24 and 25 September 1991 United States aircraft continued to violate Iraqi airspace for the purpose of observation and provocation; air activity amounted to 25 sorties flown by 10 two-aircraft formations and five single aircraft at speeds of 600 to 700 kilometres per hour and at altitudes of 5,000 to 18,000 metres.

2. Air activity centred over Dohuk, Arbil, Zakho, Mosul, Tall 'Afar, Rawanduz and Dukan.

3. At 1120 hours a two-aircraft (type F-15) formation overflew Tall 'Afar airport (Faruk) at an altitude of 100 metres and at a speed of 700 kilometres per hour.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

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Security Council

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S/23085
27 September 1991

ORIGINAL: ENGLISH

LETTER DATED 25 SEPTEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF HUNGARY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to attach a statement from the Minister for Foreign Affairs of the Republic of Hungary, Dr. Géza Jeszenszky, on the situation in Yugoslavia, which is currently before the Security Council. I would be grateful if you would circulate this communication as a document of the Security Council.

(Signed) André ERDOS
Ambassador
Permanent Representative

Annex

Statement by the Minister for Foreign Affairs of the Republic of Hungary on the situation in Yugoslavia

It is for the first time that a Minister for Foreign Affairs of free and democratic Hungary addresses this body. I cannot but remember how much hope and trust we, Hungarians, laid in this Council during our revolution in 1956. Today again, many people in and around Yugoslavia turn in their exasperation towards you.

We gathered here today to discuss the situation regarding Yugoslavia, where recently the crisis has continued to deteriorate, armed confrontation has become more and more violent, engulfing vast areas in bloodshed. Hungary has no intention to take sides in the conflict of the Southern Slav peoples, but feels compelled to draw the attention of the international community to the worsening situation in a country which is our neighbour, with which we have our longest common border. The effects of the hostilities and the violence are already being felt by our own population, our borders are being crossed by tens of thousands of refugees, our airspace has been violated several times by foreign planes. Our public is witness to a cruel war in our neighbourhood where not only men in arms but also civilians are dying, where towns and villages are bombarded and occupied.

Hungary believes that the conflict in Yugoslavia is a grave threat not only to the peoples living in that land, but also to the immediate vicinity, to the tormented democracies of the region, to all of Europe and the world. Our own historical experience suggests that the further escalation of the conflict there, its spreading to new areas, its spillover effects in terms of border violations, refugee influx and the accompanying instability and worsening bilateral relations with neighbouring States, represent a source of tension that must not be ignored in this volatile region and should be viewed as a threat to international peace and security.

Hungary, as all other Conference on Security and Cooperation in Europe (CSCE) States, has been watching with hope and anticipation the endeavours undertaken with their support by the European Community. We believe the time has come for the international community to make its voice heard and to encourage and join the efforts to stop the hostilities and to halt the spread of this conflict. In view of the gravity and urgency of the situation, the United Nations cannot but undermine its own credibility if it stays on the sidelines, remains passive and shows a lack of necessary resolve to undertake coordinated efforts to help reinvigorate the ongoing peace process. In our fast-changing world we should take advantage of the moral and political authority of a rejuvenated world organization, which has recently demonstrated its capacity for efficient and resolute action. There is very little time to lose, since the absence of meaningful and practical steps would weaken international legality and would sow the seeds of future discords and antagonisms.

We believe that it is indispensable to bring about a peaceful political solution of the conflict in that country, in accordance with the Charter of the United Nations, the Helsinki Final Act and the Paris Charter. Every day that passes by with inaction makes such a solution more and more distant and difficult to reach.

When this conflict erupted, Hungary was of the opinion that the ideal solution for Yugoslavia would be a confederation of sovereign States. Until a few months ago, that was probably a realistic way of rearranging the relations between the components of that multinational federation. Unfortunately, the conditions for that have dwindled in the recent period. In our view, the international community and those who take an active part in the peace process should draw the appropriate conclusions from the situation that was created as a result of the violence and the bloodshed in Yugoslavia. An internationally acceptable political settlement should be reflective of the principle of self-determination by the peoples living in Yugoslavia, and of respect for human rights, including the rights of national minorities. It would be a historic mistake to launch the process of settlement without allowing not only the nations, but also the national minorities living in Yugoslavia, including half a million Hungarians, to express their views and to participate in that process.

At a time when Europe and the whole world is moving towards more tolerance and the spirit of cooperation is gradually gaining the upper hand within our countries and on the international scene, isn't it anachronistic, given the ethnic mosaic in Yugoslavia, and totally inadmissible, to spread the proposition advocating the creation of nation-States incorporating all people belonging to the same nationality and - in order to achieve this aim - to use force and violence to assault borders and to conduct an undisguised conquest of territories? If this logic were to prevail in international relations, the Central and Eastern European region would soon become the apocalyptic scene of national strife. We strongly believe that this would serve no one's interests. The solution lies not with the usurpation of lands and the arbitrary recarving of the present territorial configurations, but with the full and bona fide respect of human rights and, in this context, especially, of minority rights for each and every ethnic community, wherever they may be. I say that as the representative of a country whose historic territory was reduced to a third in 1920, and whose 3.5 million fellow Hungarians are now minorities in the countries around us. We most resolutely condemn any efforts or attempts at the forcible change of borders, external or internal alike.

There is a rightful expectation on behalf of international public opinion that our world organization should not only remain seized of, but also play an active part in the political settlement of all destabilizing crises in the world by organizing joint actions aimed at the prevention, containment and solution of crisis situations. In conformity with the Charter of the United Nations, the Security Council should encourage regional arrangements to deal with matters relating to the maintenance of international peace and security and should, therefore, give its full backing to the pursuit of efforts by the European Community, with the support of the CSCE States, and to its quest for additional ways and means, to facilitate the attainment of peace and security

all over Yugoslavia. One such avenue to peace might be the presence of foreign observers or even peace-keeping forces in areas yet untouched by the internal convulsions in Yugoslavia. The present fragile truce could offer us an appropriate opportunity to redouble our efforts to get the peace process moving.

The Republic of Hungary wishes to continue in the future its balanced and careful policies vis-à-vis Yugoslavia under the extremely delicate conditions existing along its southern border. We will do our utmost to avert our involvement in the conflict, while protecting the sovereignty of the country. Hungary was the first to heed the appeal of the European Community to suspend all arms deliveries to Yugoslavia. In fact, in October 1990 we banned the export of arms into Yugoslavia. We welcome any international participation in ensuring that our country stays out of the conflict and has its peaceful and constructive intentions recognized. Our invitation to have the observers of the European Community who are deployed in Yugoslavia also to monitor the Hungarian side of the border area is an unequivocal manifestation of that desire.

We are aware that no one, no arrangements, institutions or organizations can substitute for the will of the belligerents themselves. The peoples of Yugoslavia are the only ones to decide upon the future structure of that country. But in our world of interdependence and cooperation, we owe it to ourselves to extend our helping hand to those people to create conditions that would facilitate the attainment of a peaceful solution, in accordance with their democratically expressed opinion.

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27 September 1991

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LETTER DATED 27 SEPTEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF HUNGARY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the text of the statement issued by the Government of the Republic of Hungary on 26 September 1991, regarding resolution 713 (1991) of the Security Council.

I kindly request you to circulate the present letter and its annex as a document of the Security Council.

(Signed) André ERDOS
Ambassador
Permanent Representative

Annex

Statement by the Government of the Republic of Hungary

The Hungarian Government welcomes the resolution of the United Nations Security Council on the situation in Yugoslavia. It fully shares the Council's concern over the crisis that emerged in Yugoslavia. It is convinced that the Security Council resolution is an important contribution by the international community to the European efforts aimed at settling the crisis. It will act in full compliance with the resolution and, as it did previously, will continue to observe the total and general ban on arms deliveries. It hopes that the crisis situation can be settled through joint international efforts.

Budapest, 26 September 1991

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GENERAL ASSEMBLY
Forty-sixth session
Agenda item 24
THE SITUATION IN CAMBODIA

SECURITY COUNCIL
Forty-sixth year

Letter dated 24 September 1991 from the Permanent Representatives of China, France, Indonesia, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the Communiqué of the Co-Chairmen of the Paris Conference on Cambodia and the five permanent members of the United Nations Security Council, issued at the end of their meeting, held in New York, on 20 and 21 September 1991 (see annex).

We should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 24, and of the Security Council.

Co-Chairmen of the Paris Conference on Cambodia:

(Signed) Jean-Bernard MERIMEE
Permanent Representative of
France to the United Nations

(Signed) Nana SUTRESNA
Permanent Representative of
Indonesia to the United Nations

Permanent members of the Security Council:

(Signed) Thomas R. PICKERING
Permanent Representative of the United
States of America to the United Nations

(Signed) Jean-Bernard MERIMEE
Permarent Representative of France to
the United Nations

(Signed) Yuliy M. VORONTSOV
Permanent Representative of the Union
of Soviet Socialist Republics to the
United Nations

(Signed) Sir David HANNAY
Permanent Representative of the United
Kingdom of Great Britain and Northern
Ireland to the United Nations

(Signed) LI Daoyu
Permanent Representative of China to
the United Nations

ANNEX

Communiqué

(New York, 21 September 1991)

The five permanent members of the United Nations Security Council and Indonesia met in New York on 20 and 21 September 1991. The representative of the United Nations Secretary-General was also present.

On 20 September, the five and Indonesia held their second meeting with members of the Supreme National Council (SNC) of Cambodia under the chairmanship of Prince Norodom Sihanouk.

The five and Indonesia welcomed the informal meeting of all members of the Paris Conference on Cambodia (PCC), held on 21 September to exchange views on the latest developments in the peace process.

The five and Indonesia noted with satisfaction the decision of the SNC on the issue of the electoral system, which provides for national elections throughout Cambodia on a provincial basis in accordance with a system of proportional representation.

They also welcomed the letter of 20 September from the President of the SNC to the United Nations Secretary-General clarifying further the decision-making process.

They welcome as a further indication of the growing spirit of cooperation within the SNC the decision of all the Cambodian parties to provide the United Nations Secretariat with detailed information on their military forces at an early date to facilitate the process of preparing for the military aspects of the United Nations Transitional Authority in Cambodia (UNTAC).

They hope that the United Nations Secretary-General will shortly be able to submit for the United Nations Security Council's consideration a plan for sending a United Nations good offices mission to Cambodia soon after the comprehensive settlement agreement has been signed.

The five and Indonesia note with special satisfaction that the process of creating a comprehensive settlement agreement for Cambodia seems to have entered its final phase, thus bringing closer to realization the goal of national reconciliation and lasting peace in that country. In that connection, they express the hope that the PCC will be able to reconvene by the end of October.

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GENERAL ASSEMBLY
Forty-sixth session
Agenda item 46
CONSEQUENCES OF THE IRAQI OCCUPATION OF
AND AGGRESSION AGAINST KUWAIT

SECURITY COUNCIL
Forty-sixth year

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and of the Security Council a letter dated 27 September 1991 addressed to him by the Director General of the International Atomic Energy Agency concerning the resolution adopted on 20 September 1991 by the General Conference of the Agency entitled "Iraq's non-compliance with its safeguards obligations" (see annex).

ANNEX

Letter dated 27 September 1991 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

At its meeting on 12 September 1991 the Board of Governors of the International Atomic Energy Agency took note of the Government of Iraq's further non-compliance with its obligations under its safeguards agreement with the Agency, reaffirmed the requests and demands made in the resolution passed on 18 July 1991 (GOV/2532) and requested the Director General to report this as required by Article XII of the Statute.

Article XII.C of the Agency's Statute and Article III.2 of the Agreement Governing the Relationship between the United Nations and the International Atomic Energy Agency require the Board to report non-compliance with safeguards obligations to the Security Council and General Assembly of the United Nations. I would, therefore, appreciate it if you could bring this action by the Board to the urgent attention of the Security Council and of the General Assembly. A copy of the records of the Board's meeting will be sent to you as soon as they are available.

In accordance with Article VII of the Relationship Agreement, I am at the disposal of the Security Council should the Council so desire.

Further, the Agency's General Conference, at its 341st plenary meeting, on 20 September 1991, adopted resolution GC (XXV)/RES/568 - "Iraq's non-compliance with its safeguards obligations" - in which it, among other things, requested the Director General to report the views of the General Conference to the Secretary-General of the United Nations. A copy of that resolution, adopted by 71 votes to 1, with 7 abstentions, is attached. A copy of the records of the General Conference relating to this issue will be sent to you as soon as they are available.

(Signed) Hans BLIX
Director General

APPENDIX

Iraq's non-compliance with its safeguards obligations

Resolution adopted by the General Conference of the International Atomic Energy Agency at its 341st plenary meeting, on 20 September 1991

The General Conference,

(a) Noting United Nations Security Council resolution 687 (1991) and 707 (1991),

(b) Deploring Iraq's non-compliance with its safeguards obligations with the International Atomic Energy Agency and violation of its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and Security Council resolution 687 (1991),

(c) Recalling with approval the statements and actions of the Director General and the Board of Governors concerning Iraq's non-compliance with its nuclear non-proliferation obligations, including the Board resolution of 18 July 1991 and the report by the Board to the General Conference dated 13 September 1991,

(d) Deeply concerned by the continuing Iraqi efforts to obstruct implementation of Security Council resolution 687 (1991) and 707 (1991),

1. Supports the above-mentioned actions taken by the Board of Governors;

2. Strongly condemns Iraq's non-compliance with its nuclear non-proliferation obligations, including its safeguards agreements with the International Atomic Energy Agency;

3. Demands that Iraq immediately and fully comply with all of its nuclear non-proliferation obligations;

4. Commends the Director General and his staff for their strenuous efforts in the implementation of Security Council resolutions 687 (1991) and 707 (1991), in particular the detection and destruction or otherwise rendering inoffensive equipment and material which could be used for nuclear weapons;

5. Requests the Director General to report the views of the General Conference to the Secretary-General, and to report to the Board of Governors and to the thirty-sixth General Conference on his efforts to implement Security Council resolutions 687 (1991) and 707 (1991), and decides to remain seized of this issue.

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LETTER DATED 26 SEPTEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that United States aircraft continue to violate Iraqi airspace, as follows:

1. 25/26 September 1991: 18 sorties flown by six two-aircraft formations and six single aircraft at a speed of 720 kilometres per hour and at altitudes ranging from 3,000 to 7,000 metres.

2. Flights were for the purpose of observation and provocation and were chiefly centred over the areas of Arbil, Amadiyah, Mosul, Dohuk and Tall Afar.

3. At 0910 hours an aircraft came from Kuwaiti airspace and flew 35 kilometres into Iraqi airspace (south-west of Irtawi) at a speed of 400 kilometres per hour before disappearing into Kuwaiti airspace at 0917 hours.

4. At 1625 hours three helicopters were sighted flying over the area south of Dohuk.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

91-31872 2550c (E)

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30 September 1991
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ORIGINAL: FRENCH

Draft resolution

The Security Council,

Recalling its resolution 637 (1989) of 27 July 1989, in which it lent its full support to the Secretary-General for his mission of good offices in Central America,

Also recalling its resolution 693 (1991) of 20 May 1991, by which the Council established the United Nations Observer Mission in El Salvador,

Welcoming the New York Agreement signed 25 September 1991 by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional, which provides guarantees and conditions on which to reach a peaceful settlement to the armed conflict, including, inter alia, the provisions concerning the National Commission for the Consolidation of Peace, permitting the reintegration of the members of the Frente Farabundo Martí para la Liberacion Nacional, within a framework of full legality, into the civil, institutional and political life of the country,

Welcoming also the oral report of the Secretary-General, made at the consultations held on 30 September 1991,

1. Commends the parties for the flexibility and seriousness which they demonstrated during the course of the recent talks in New York;

2. Congratulates the Secretary-General and his Personal Representative for Central America for their skilful and tireless efforts which have been vital to the peace process;

3. Expresses appreciation for the contributions of the Governments of the Group of Four Friends of the Secretary-General, Colombia, Mexico, Spain, and Venezuela, which have advanced the peace process in El Salvador;

4. Urges both sides at the next negotiating round, which will begin on 12 October 1991 to proceed at an intensive and urgent pace to reach at the earliest possible date a cease-fire and an overall settlement to the armed conflict in accordance with the framework of the New York Agreement;

/...

5. Reaffirms its strong support for the urgent completion of the peace process in El Salvador and expresses its readiness to support the implementation of a settlement;

6. Urges both sides to exercise maximum and continuing restraint, particularly with respect to the civilian population, in order to create the best climate for a successful last stage of the negotiations; and

7. Calls upon both sides to continue to cooperate fully with ONUSAL.

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30 September 1991

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LETTER DATED 25 SEPTEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In accordance with paragraph 4 of Security Council resolution 700 (1991), I have the honour to provide you with the following report regarding the measures taken by the Government of the United States of America to give full effect to the provisions of paragraph 24 of Security Council resolution 687 (1991).

The United States Government has continued to apply the stringent legal and interdictory measures that it introduced shortly after Iraq's invasion of Kuwait on 2 August 1990.

On 2 August 1990, President Bush signed Executive Order 12722, blocking Iraqi government property and prohibiting transactions with Iraq. On 9 August 1990, the President signed Executive Order 12724, which expanded the restrictions mentioned in Executive Order 12722. Among other items, these executive orders prohibit exports and imports of goods and services between the United States and Iraq, forbid activities by persons in the United States that would promote the export or transshipment of goods to Iraq and blocked all property of the Government of Iraq. Use of American private transportation means and related facilities to trade with Iraq have been similarly prohibited by regulation. On 5 November 1990, the United States Congress enacted the Iraqi Sanctions Act of 1990, which affirmed the sanctions imposed by the President and provided for certain penalties with respect to violations.

Pursuant to these orders, the Department of the Treasury has frozen all bank accounts of the Iraqi Government and has promulgated regulations to restrict Iraqi access to its funds and to ensure that funds will not be made available to Iraq and those who would facilitate commodity trade with Iraq. Thus, the Government of the United States has taken the actions necessary to conform strictly to the prohibitions contained in all the relevant United Nations Security Council resolutions. These United States restrictions remain in effect today.

In sum, the United States Government by law and by the vigorous administration of its implementing regulations, as well as by employment of American military resources, has done all within its power to achieve the goals set out in paragraph 3 of Security Council resolution 661 (1990) and paragraph 24 of resolution 687 (1991).

(Signed) Thomas R. PICKERING